

**RESOLUTION AUTHORIZING NJMC STAFF TO INVESTIGATE AND REPORT
TO EXECUTIVE DIRECTOR CONCERNING METHODS FOR DISTRICT-WIDE
IMPLEMENTATION OF AFFORDABLE HOUSING OBLIGATIONS ASSOCIATED
WITH NONRESIDENTIAL GROWTH IN THE MEADOWLANDS DISTRICT**

WHEREAS, the New Jersey Meadowlands Commission (NJMC) is authorized by N.J.S.A. 13:17-1 *et seq.*, to adopt codes and standards regarding the zoning and rezoning of lands within the Meadowlands District; and

WHEREAS, on January 8, 2004, the NJMC adopted a new Master Plan for the development of the District; and

WHEREAS, as set forth in System 4, Strategy 3 of the NJMC Master Plan, the NJMC seeks to spur the production of affordable housing; and

WHEREAS, on February 17, 2004, new regulations at N.J.A.C. 19:4, reflecting a comprehensive revision of the NJMC rules in response to the new NJMC Master Plan, became effective; and

WHEREAS, N.J.A.C. 19:4-3.8 sets forth the NJMC's current rules regarding affordable housing; and

WHEREAS, the NJMC rules were effective prior to the adoption of the "Procedural and Substantive Rules of the New Jersey Council of Affordable Housing (COAH) for the period beginning December 20, 2004," commonly referred to as the "Third Round" rules; and

WHEREAS, the Third Round rules implement a "growth share" approach that requires the creation of affordable housing in proportion to the amount of development constructed; and

WHEREAS, in NJMC Resolution No. 05-108 dated October 26, 2005, the NJMC resolved to amend its rules to promote consistency with the Third Round rules to assist constituent municipalities in meeting their fair share housing obligation; and

WHEREAS, the NJMC has published a proposed amendment to N.J.A.C. 19:4-3.8 at 37 N.J.R. 4529 [December 5, 2005] to require new residential development in the District to fully address, within the development itself, the affordable housing obligation generated by the construction of market-rate residential units; and

WHEREAS, the Third Round rules also impose affordable housing obligations based upon the number of new jobs created by new nonresidential development in a municipality; and

WHEREAS, NJMC staff, in cooperation with COAH, have been working proactively with the District's constituent municipalities to effectuate the intent of the new COAH rules by encouraging the municipalities to prepare housing elements and fair share plans for substantive certification and by providing the municipalities with technical and financial assistance for such purpose;

NOW, THEREFORE, BE IT RESOLVED that the NJMC hereby authorizes its staff to - determine those methods by which NJMC can assist its constituent municipalities in implementing the Third Round rules concerning nonresidential growth that will be consistent with COAH regulations and sound regional planning, and hereby directs NJMC staff to report to the Executive Director on this subject as soon as practicable, but no later than March 31, 2006.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of January 25, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-12